

FISH & RICHARDSON P.C.

Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951

VIA ELECTRONIC MAIL

May 23, 2007

The Honorable Joseph J. Farnan, Jr.
United States District Court
for the District of Delaware
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Wilmington, DE 19801

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Re: Power Integrations Inc. v. Fairchild Semiconductor Int'l
USDC-D. Del. - C.A. No. 04-1371-JJF



Dear Judge Farnan:

We write in response to the Court's memorandum order of yesterday requesting the parties' positions with respect to the schedule for the validity trial. Since the Court issued its order, we prevailed on Dr. Eklund to sit for deposition this weekend (*see* Ex. A), within the window Fairchild previously requested and on a schedule Fairchild initially agreed would permit the parties to proceed with trial on June 4. (*See* Ex. B at 2 ("In order to have enough preparation time in advance of trial, we will need to take his deposition sometime next week.")) We believed Dr. Eklund's agreement to change his schedule to sit for a deposition would permit the parties to proceed as planned, but Fairchild now will not agree. (*See* Ex. C.)

Power Integrations believes that Fairchild's refusal to agree to a proposal that meets its original demand for a deposition this week belies its claim of potential prejudice, particularly when Fairchild initially made no reference to the need for any satellite discovery (*see* Exs. B and D), and that as a result the Court should proceed with trial as currently scheduled. If the Court is inclined to move trial, though, there is no apparent disagreement among the parties as to what the proposed schedule should be: the parties agree that if trial moves, it should begin on August 13, subject to the Court's availability. In view of this contingent agreement, Power Integrations asks that the Court decide the trial date without the further briefing contemplated in yesterday's order, to permit everyone to finalize plans as soon as possible.

Respectfully,

/s/ William J. Marsden, Jr.

William J. Marsden, Jr.

cc: Clerk of Court (via ECF)
Steven J. Balick, Esquire (By Hand)
G. Hopkins Guy, III, Esquire (By Email)
Bas de Blank, Esquire (By Email)

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